

# HOUSE BILL No. 1089

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 6-3.6-9-12; IC 10-17-1.

**Synopsis:** Veteran service officers. Creates the position of district service officer. Requires the veterans' affairs commission (commission) to establish certification requirements for district service officers. Requires the commission to create six geographic districts in Indiana and appoint a district service officer for each district. Specifies the role and responsibilities of district service officers. Requires a portion of local income taxes to be withheld from cities and counties that fail to enforce accreditation and reaccreditation requirements for city and county service officers.

**Effective:** July 1, 2016.

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January 5, 2016, read first time and referred to Committee on Veterans Affairs and Public Safety.

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Second Regular Session of the 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

## HOUSE BILL No. 1089

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 6-3.6-9-12, AS ADDED BY P.L.243-2015,  
2       SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2016]: Sec. 12. **(a) Except as provided in subsection (b),**  
4       one-twelfth (1/12) of each adopting county's certified distribution for  
5       a calendar year shall be distributed from its trust account established  
6       under this chapter to the appropriate county treasurer on the first  
7       regular business day of each month of that calendar year.

8       **(b) If the Indiana veterans' affairs commission has certified to**  
9       **the auditor of state and the budget agency that a county or city is**  
10       **not in compliance with the requirements of IC 10-17-1, one-fourth**  
11       **(1/4) of the part of the certified distribution that would be**  
12       **distributed to the county civil taxing unit shall be withheld by the**  
13       **auditor of state until the city or county has complied with**  
14       **IC 10-17-1.**

15       **(c) If a part of a distribution is withheld under subsection (b)**  
16       **and the city or county subsequently complies with IC 10-17-1, the**  
17       **auditor of state shall distribute to the county civil taxing unit the**



**amount of the distribution that was previously withheld, without interest for the period during which the distribution was withheld.**

**(d) A withholding made under subsection (b) shall not affect a distribution to any unit other than the county civil taxing unit.**

SECTION 2. IC 10-17-1-4, AS AMENDED BY P.L.169-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. The commission shall do acts necessary or reasonably incident to the fulfillment of the purposes of this chapter, including the following:

(1) Adopt rules under IC 4-22-2 to administer this chapter.

(2) Advise the veterans' state service officer in problems concerning the welfare of veterans.

(3) Determine general administrative policies within the department.

(4) Establish standards for certification of **district**, county, and city service officers.

(5) Establish and administer a written examination for renewal of the certification of **district**, county, and city service officers.

**(6) Establish six (6) districts in Indiana to be staffed by a district service officer in each of the districts.**

**(7) Appoint a district service officer to each of the six (6) districts established under subdivision (6).**

SECTION 3. IC 10-17-1-9.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 9.5. (a) A district service officer must do the following:

(1) Serve in one (1) of the six (6) geographic districts established by the commission under section 4(6) of this chapter.

(2) Provide training and assistance to all city and county service officers located in the district service officer's district.

(3) Provide accreditation and reaccreditation opportunities for city and county service officers located in the district service officer's district.

(4) Perform community outreach services for veterans and veterans' families.

(5) Perform any other service deemed necessary by the commission.

**(b) A district service officer must live in the district served by the officer.**

**(c) District service officers shall report to the director of veterans' affairs.**



1       SECTION 4. IC 10-17-1-10, AS AMENDED BY P.L.169-2013,  
 2       SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3       JULY 1, 2016]: Sec. 10. (a) Within thirty (30) days of their  
 4       appointment, new **district**, county, or city service officers must attend  
 5       a new service officer orientation presented by the Indiana department  
 6       of veterans' affairs and, according to the standards established under  
 7       section 4(4) of this chapter, become certified to assist veterans and  
 8       their dependents and survivors. The curriculum for the new service  
 9       officer orientation presented under this subsection shall be determined  
 10      by the director.

11      (b) Within one (1) year of appointment, new service officers must  
 12      attend a course presented by a national organization and become  
 13      accredited to represent veterans.

14      (c) An individual employed as a **district**, county, or city service  
 15      officer under this chapter on July 1, 2013, is required to become  
 16      accredited not later than July 1, ~~2015~~, **2016**, to represent veterans.

17      (d) Annually, all **district**, county, or city service officers shall  
 18      undergo a course of training to adequately address problems of  
 19      discharged veterans in the service officer's **district**, county, or city,  
 20      including a thorough familiarization with laws, rules, and regulations  
 21      of the federal government and the state that affect benefits to which the  
 22      veterans and dependents of the veterans are entitled. After a service  
 23      officer has undergone this sustainment training and successfully passed  
 24      a written test, the service officer shall be recertified by the director to  
 25      assist veterans for the following year.

26      **(e) If a city or county service officer resigns or is terminated**  
 27      **from the service officer position, the city or county shall appoint a**  
 28      **new service officer not more than thirty (30) days after the**  
 29      **resignation or termination.**

30      **(f) Except as provided in subsection (e), a county that fails to**  
 31      **comply with this chapter shall be penalized as provided in**  
 32      **IC 6-3.6-9-12(b).**

